

SEP 16 2008

Application Serial No. 10/715,623
2nd Resubmission of Amendment of January 11, 2008

PATENT
Docket: CU-3456

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kenichi Furukawa) Group Art Unit: 2627
SERIAL NO: 10/715,623) Examiner: Joseph R. Haley
FILED: November 18, 2003)
TITLE: OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD,
AND CONDITION MEASURING POSITION SETTING METHOD

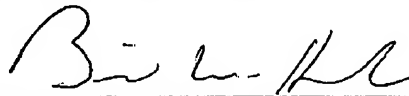
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Certification under 37 C.F.R. §1.8(b)

The USPTO Central Fax No. (571) 273-8300

Date of Fax Transmittal: September 16, 2008

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.


Brian W. Hameder, Reg. No. 45613

SECOND RESUBMISSION OF AMENDMENT

Sir:

The undersigned attorney received a telephone call from Examiner Haley today, who indicated that a couple of pages from the previously filed amendment are missing. An amendment and RCE was originally filed on April 11, 2008. That amendment, having not been entered, was resubmitted on July 15, 2008.

A complete copy of the amendment and RCE is submitted herewith, along with the prior two fax transmission receipts. A total of 12 pages is being transmitted.

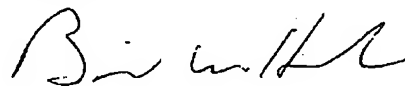
Application Serial No. 10/715,623
2nd Resubmission of Amendment of January 11, 2008

PATENT
Docket: CU-3456

This submission is also being transmitted directly to Examiner Haley at 571-273-0574.

It is respectfully requested that the amendment be entered.

Respectfully submitted,



September 16, 2008

Date

Attorney for Applicant
Brian W. Hameder
c/o Ladas & Parry LLP
224 South Michigan Avenue
Chicago, Illinois 60604
(312) 427-1300
Reg. No. 45613

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7/15/2008 10:35:03 AM

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07/15/2008 08:24 FAX 312 427 6663		LADAS & PARRY LLP		0003/0007	
Application Serial No. 10/715,523		PATENT			
Resubmission of Amendment of January 11, 2008		Docket CU-3456			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
APPLICANT:	Kenichi Furukawa	Group Art Unit 2627			
SERIAL NO:	10/715,523	Examiner: Joseph R. Haley			
FILED:	November 18, 2003				
TITLE:	OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD, AND CONDITION MEASURING POSITION SETTING METHOD				
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<u>Certification under 37 C.F.R. §1.8(b)</u>					
The USPTO Central Fax No. (571) 273-8300					
Date of Fax Transmittal: July 15, 2008					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.					
 Brian W. Hamoder, Reg. No. 45613					
RESUBMISSION OF AMENDMENT					
Sir:					
Upon receiving a telephone call from Examiner Haley today for a status check, Applicant's attorney learned that the previously submitted amendment and Request for Continued Examination (RCE) dated April 11, 2008 has not been entered by the Office. Another copy of that amendment and RCE, with a copy of the Auto-Reply Facsimile Transmission Receipt, evidencing receipt by the Office, is attached. It is respectfully requested that the amendment be entered.					
Respectfully submitted,					
Date: <u>July 15, 2008</u> Attorney for Applicant Brian W. Hamoder c/o Ladas & Parry LLP 224 South Michigan Avenue Chicago, Illinois 60604 (312) 427-1300 Reg. No. 45613					
1					
PAGE 10 * RCVD AT 7/15/2008 10:23:35 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-5/28 * DNIS:2738300 * CSID:312 427 6663 * DURATION (mm-ss):02-24					

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Auto-Reply Facsimile Transmission

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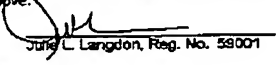
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04/11/2008 16:08 FAX 312 427 6663		LADAS & PARRY LLP		12001	
Application Serial No. 10/715,623		PATENT		Docket CU-3456	
Reply to Office Action of January 11, 2008					
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
APPLICANT:	Kentchi Furukawa	Group Art Unit:	2627		
SERIAL NO.:	10/715,623	Examiner:	Joseph R. Haley		
FILED:	November 18, 2003	<u>EXPEDITED PROCEDURE</u> <u>AMENDMENT AFTER FINAL</u>			
TITLE:	OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD, AND CONDITION MEASURING POSITION SETTING METHOD				
Mail Stop AF THE COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450					
<u>Certification under 37 C.F.R. §1.8(b)</u> The USPTO Central Fax No. (571) 273-8300 Date of Fax Transmission: April 11, 2008 I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.					
 Julie L. Langdon, Reg. No. 59001					
AMENDMENT					
Sir:					
This is in response to the Office Action dated January 11, 2008 and having a shortened statutory period for reply set to expire on April 11, 2008. Applicant submits the following responsive amendment in the above-identified application. Also submitted with this amendment is a Request for Continued Examination (RCE). Applicant believes this amendment places the application in better condition for allowance.					
Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.					
Remarks/Arguments begin on page 5 of this paper.					
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PAGE 15 * RCVD AT 4/11/2008 5:07:27 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-5/28 * DNIS:2738300 * CSID:312 427 6663 * DURATION (mm-ss):02:24					

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04/11/2008 16:28 FAX 312 427 6663 LADAS & PARRY LLP 0006/001

U.S. Patent and Trademark Office, U.S. Department of Commerce

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Application Number: 10/715,623
Filing Date: November 28, 2003
First Named Inventor: Kenneth J. Partridge
Class: 2627
Inventor Name: Joseph R. Maloy
Attorney/Agent Number: 07-3456

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. 37 C.F.R. § 1.114 is available as set forth in the above-identified application and prior to May 28, 2003, applicants may wish to consider filing a continued examination (CE) under 37 C.F.R. § 1.106. If the RCE is not filed for the patent law adjustment procedure of the AIA, then the RCE is subject to the provisions of the AIA. See the Trademark Manual of Examining Procedure, Part 306, §§ 306.01-306.04, 306.05, 306.06, 306.07, 306.08, 306.09, 306.10, 306.11, 306.12, 306.13, 306.14, 306.15, 306.16, 306.17, 306.18, 306.19, 306.20, 306.21, 306.22, 306.23, 306.24, 306.25, 306.26, 306.27, 306.28, 306.29, 306.30, 306.31, 306.32, 306.33, 306.34, 306.35, 306.36, 306.37, 306.38, 306.39, 306.40, 306.41, 306.42, 306.43, 306.44, 306.45, 306.46, 306.47, 306.48, 306.49, 306.50, 306.51, 306.52, 306.53, 306.54, 306.55, 306.56, 306.57, 306.58, 306.59, 306.60, 306.61, 306.62, 306.63, 306.64, 306.65, 306.66, 306.67, 306.68, 306.69, 306.70, 306.71, 306.72, 306.73, 306.74, 306.75, 306.76, 306.77, 306.78, 306.79, 306.80, 306.81, 306.82, 306.83, 306.84, 306.85, 306.86, 306.87, 306.88, 306.89, 306.90, 306.91, 306.92, 306.93, 306.94, 306.95, 306.96, 306.97, 306.98, 306.99, 306.100, 306.101, 306.102, 306.103, 306.104, 306.105, 306.106, 306.107, 306.108, 306.109, 306.110, 306.111, 306.112, 306.113, 306.114, 306.115, 306.116, 306.117, 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